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Taylor Times

A PUBLICATION OF THE GEORGE C. TAYLOR LAW CENTER AT THE UNIVERSITY OF TENNESSEE

APRIL 1994

Advocates' Prize Competition Has Many Winners

The finals of the Advocates' Prize Moot Court Competition were held Thursday, March 17, in the Moot Court Room of the George C. Taylor Law Center. The team of Dianne E. Lashmit and Suzanne M. Sweet won the 1994 competition. The team of Kevin J. Allen and Jane E. Anderson came in second. All finalists are second-year law students. Twenty-four teams entered the competition which started with preliminary rounds on February 1.

The team of Suzanne S. Queen and Theresa C. Willocks won first place for Best Brief. Scott W. Anderson and John M. Gensheimer won for Second Place Brief.

The award for outstanding oralist is given in memory of Philip C. Klipsch, whose untimely death occurred just one week after he won the Advocates' Prize Moot Court Competition in 1976. Klipsch typified those qualities the competition seeks to develop. Suzanne Sweet was named this year's best oralist.

The competition is the UT College of Law's intraschool appellate moot court program for students in their second year or third year of study. The event is sponsored by the Moot Court Board and endowed by a good friend of the College of Law. The "Advocates' Prize" is collectively named for six distinguished trial attorneys from the Knoxville area, selected by the donor as representative of the highest traditions of advocacy and law practice anywhere. They are John H. Doughty (1904-1979), Ray H. Jenkins (1897-1980), Clyde H. Key (1904-1979), Frank Montgomery (1884-1974), Herbert H. McCampbell, Jr. (1905-1975) and William P. O'Neil (1903-1991).

The Honorable Gilbert S. Merritt of the United States Court of Appeals for the Sixth Circuit, the Honorable H. Emory Widener, Jr. of the United States Court of Appeals for the Fourth Circuit, and the Honorable Penny J. White of the Court of Criminal Appeals for the State of Tennessee served as judges for the championship round.

Volunteer Summer Clerkship List Now Available

(from Tennessee Student Job Briefs March/April 1994 issue)

Last year's first Volunteer Summer Clerkship program was very well-received by the local government and public interest legal communities, and most offices have expressed an interest in participating again this year. If you are interested in volunteering your time and legal talents this summer, stop by and pick up a revised list of volunteer positions which includes federal and state judges, public interest organizations, government agencies, district attorneys, and public defenders. Working pro bono can provide valuable legal experience, networking opportunities, and the possible development of a mentoring relationship that could last throughout your career.

College of Law's ATLA Student Chapter Competes at National Competition

A team of law students from the College of Law's American Trial Lawyers Association Student Chapter competed in the ATLA National Trial Moot Court Competition in Raleigh, North Carolina last month. Team members, John Cooper, Randall Phillips, Keith Stewart and Greg Williams, prepared to argue both sides of a tainted blood transfusion case during the trial competition. Harry Weddle served as the team's coach.

Fifteen teams competed in the single elimination competition. UT's team defeated Catholic University and Georgetown University before being eliminated in the third round by Campbell University. The Campbell team made it to the finals. North Carolina state and federal judges, including a federal bankruptcy judge, presided over the competition which was held at the federal courthouse in Raleigh.

TAYLOR TRIVIA: Who has found errors in the "Blue Book"? **Answer to last month's Taylor Trivia:** Professor Tom Davies was seen gyrating with a belly dancer while his wife watched. They were attending the AALS Annual Meeting in Orlando.

Moot Court Teams Compete

The College of Law's 1994 Constitutional Law Moot Court team reached the final four at the national competition in Williamsburg, Virginia, February 24-27. Team members Ray Hixson, Barbara Johnson and Michele Johnson were defeated in the semifinals by the University of Georgia, who later won the competition. Professor Jerry Phillips served as the team's advisor.

The competition case was about the first amendment rights of university students who worked on a campus newspaper. The twenty-two teams in the competition were from all over the country. All the UT team members are third-year law students. "They bore themselves magnificently," said Professor Phillips.

The Prince Evidence Moot Court team competed in their national competition, March 16-20, at Brooklyn Law School in New York. The UT team won three rounds of the single elimination competition before being defeated in the quarter finals. Team members, Amy Haddad, Jason Hood and Dave Sanders, argued evidence issues from a suit in

which a member of one church was charged with burning the property of a rival church. Professor Neil Cohen served as the team's advisor.

"The team worked very hard and performed quite well in New York," said Professor Cohen. "Jason Hood, the senior member of the team, provided outstanding leadership to the team. The UT Community should be proud of these students."

The Labor Law Moot Court team competed in the Robert W. Wagner Memorial Labor Law Moot Court National Competition, March 16-21, at New York Law School. Team members, Jeff Hill, Jane Stahl and Joey Sbuttoni, made it to the quarter finals during the 40-team competition. Professor Pat Hardin served as the team's advisor.

The national competition case concerned a conflict between the Americans With Disabilities Act and obligations under a collective bargaining agreement. "The team was unusually talented" said Professor Hardin, "and they represented the school well."

VOICES FROM THE LEGAL CLINIC

and this month ... an older voice from the Legal Clinic
... from the desk of Charles H. Miller

May I again say, "Many, many thanks to you (Director Doug), the Clinic staff, and the many others for a great 88th birthday party. For me it was a wonderful, wonderful event.

The good Lord has blessed me with this chronological progression of years and the accumulation of friends and wonderful memories along the way. The Clinic staff and students rank at the top of these.

The Clinic has been one of the principle contributing reasons I have enjoyed, and do enjoy, life so much. I have met so many young men and women who, starting with their Clinic experience, went on to be great contributors to their profession.

The staff can be proud of their contribution to this purposeful beginning.

Mr. Miller founded the Legal Clinic in 1947 and served as its director until 1975.

Anthony Scholarship Challenge

An anonymous donor has agreed to contribute up to \$10,000 over the next five years to insure the endowment of the Susan B. Anthony Scholarship at the College of Law, which is sponsored by the East Tennessee Lawyers Association for Women (ETLAW). The donor has requested that the contribution be matched by ETLAW members and supporters.

Pledge forms are available from Mary Ann James in the Dean's Office if you are interested in participating in the pledge challenge.

Personnel Particulars

Lisa Sellers has resigned her position as Annex secretary. She will now be a full-time wife and mother and may even go back to school next fall. All the best, Lisa!

Special thanks for holding down the fort to Kim Childress and Linda King who are with UT Temp Services and helping out in the Annex.

Wanted:

Video operators
for the
College of Trial Advocacy,
May 18-22, 1994.
See Professor Gary Anderson
in the Legal Clinic
or
Betty Stuart in Suite 14
for further information.

April Highlights

April 6 -----

Student Forum on the State of the Law School
11:00 a.m. - Room 118
Sponsored by the SBA

Pizza and soft drinks provided.

All faculty, students and staff are invited. Please sign up in the Records Office (to insure an adequate pizza order!).

April 10 --

Phi Delta Phi International Legal Fraternity presents its
Second Annual Awards Banquet
Initiation: 6:30 p.m. - Banquet: 7:00 p.m. - Radisson Hotel
Guest speaker: Defense Attorney Herb Moncier
\$20/member \$15/guest
See PDP members for tickets.

April 11 -----

Legal Clinic Information Meeting
Noon - Room 114 Free Pizza!

Legal Clinic Faculty and Students will talk about the Civil and Criminal Advocacy courses and will answer any questions.

Calendar

April 1

Spring Recess
No classes. Law Library and
Administrative Offices closed.

April 4

Class of 1994 Composite Pictures
Taken - Beginning at 10:00 a.m. -
Student Lounge - \$15 - See
Barbara Johnson or Irene Joseph,
if you have any questions.

The 1994 Miller Lecture in Professional Responsibility

"A Right to Health Care That
Cannot Be Taken Away: The
Lessons of Twenty Years of
Health Care Advocacy"
Professor of Law Sylvia Law,
New York University

April 6

Student Forum
on the
State of the Law School
11:00 a.m. - Room 118

Sponsored by the SBA and GCT!
Pizza and soft drinks provided!
All faculty, students and staff
invited!

Chancellor's Honors Banquet

April 7

Sports and Entertainment Law
Society Banquet
6:30 p.m. - Knoxville Hilton
Guest speaker: Joel Katz

April 8

First Annual Tennessee Sidebar
Classic at Three Ridges Golf
Course - Sponsored by the Sports
and Entertainment Law Society
For more information, call 615/
588-9940.

April 8-9

Alumni Advisory Council Meeting

April 10

PDP Awards Banquet
Initiation: 6:30 p.m.
Banquet: 7:00 p.m.
Radisson
Guest speaker:

Defense Attorney Herb Moncier
April 11

Legal Clinic Information Meeting
Noon - Room 114

April 15

Jenkins Trial Championship
1:00 p.m. - Moot Court Room

Moot Court Banquet and Awards
Program

6:30 p.m. - Cash bar

7:00 p.m. - Dinner/Awards

The Foundry on the Fair Site

April 17-23

National Library Week

April 23

Second Annual Legal Research
"Teach-In" in Room 104.

See Professor Steve Thorpe in the
Law Library if you have any
questions.

April 25

The Second Annual

Robert L. Taylor Lecture

featuring

**The Honorable Griffin B. Bell,
Former U.S. Attorney General
and**

**Former Judge, U.S. Court of
Appeals, 5th Circuit**

**Watch for notices in the
building as to time, place,
etc.**

April 28-29

Tennessee Corporate Counsel
Institute (CLE Program) in
Memphis

April 29

Classes end

Upcoming Events

Examination Period: May 3-12

Hooding: May 12

Commencement: May 13

Taylor Tidbit

*There is no higher religion
than human service. To work
for the common good is the
greatest creed.*

Albert Schweitzer
(1875-1965)

Faculty Facts

Neil Cohen ...

... spoke to the adult education class of St. James Episcopal Church last month about the current political situation in Israel.

Larry Dessem ...

... has been asked to serve on the new Federal Court/Knoxville Bar Association Joint Committee on Dispute Resolution.

Carol Mutter ...

... has resigned from the faculty, effective at the end of this academic year. She now lives in Chattanooga with her husband and children.

Jerry Phillips ...

... will serve as the 1994 chair of the Association of American Law Schools Tort and Compensation Systems Section.
... reviewed *Products Liability and the Search for Justice* by Marshall S. Shapo for the March 1994 issue of *Trial*.

Carl Pierce ...

... was quoted in *The Chattanooga Times* on February 22 about closed hearings on professional conduct when lawyers are disciplined.

The University of Tennessee, Knoxville does not discriminate on the basis of race, sex, color, religion, national origin, age, handicap, or veteran status in provision of educational opportunities or employment opportunities and benefits. UT Knoxville does not discriminate on the basis of sex or handicap in its educational programs or activities, pursuant to requirements of Title IX of the Educational Amendments of 1972, Public Law 92-318, and Section 504 of the Rehabilitation Act of 1973, Public Law 93-112, and the Americans With Disabilities Act of 1990, Public Law 101-336, respectively. This policy extends to both employment by and admission to the University. Inquiries concerning Title IX, Section 504, and the Americans With Disabilities Act of 1990 should be directed to the Office of Affirmative Action, The University of Tennessee, 403-C Andy Holt Tower, Knoxville, Tennessee 37996-0144; or telephone (615)974-2498. Charges of violation of the above policy should also be directed to the Office of Affirmative Action.
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Glenn Reynolds ...

... attended the National Space Society's Reinventing NASA Conference at George Washington University in Washington, D.C. in March. He served as a member of the panel on "Reform the Procurement System." NSS will present the results of the Conference to NASA, elected officials, the media and the public. Glenn serves as the NSS Executive Vice President.

... wrote "Framers' intent: Second Amendment being rediscovered in debate over gun control," for *The Knoxville News-Sentinel*. The article appeared in the March 25, 1994 issue.

Barbara Stark ...

... was a panelist at the TAEHA/ THEA Conference in Knoxville on March 17 at the Hilton. She was on the "Family and the Law" panel and spoke on "Using Family Law to HELP Families: If the Cure Doesn't Kill You."

Dick Wirtz ...

... chaired a joint ABA-AALS Site Inspection visit to State University of New York at Buffalo School of Law.

Student Stuff

BRIEFLY . . .

from the Student Bar Association

WHERE'S MY CLASS?

WHERE'S MY PROFESSOR?

WHERE'S MY LOCKER?

The answers to these and other questions plaguing law students' minds will be revealed at the STATE OF THE SCHOOL MEETING on Wednesday, April 6, at 11:00 a.m. in Room 118. Deans Wirtz, Hoover and Dessem will be on hand to field questions about the impending transition.

ADDED BONUS: FREE Pizza and sodas, courtesy of the College of Law and the SBA beforehand.

Please sign up in the Records Office if you want to attend!

1994-95 Tennessee Law Review Editorial Board and Staff

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Chris Leonard made a Hole-in-One at Cedar Hills Golf Course last month. He used a pitching wedge on the 103-yard second hole to accomplish the amazing feat.

Ten Commandments For Lawyers' Health

The American legal profession is made up of the best minds and the worst bodies in the world. In a grown-up business, lawyers often behave like children when it comes to their health. Overwork and stress cause the early end of many distinguished careers. To restore balance to lawyers' lives, it is necessary to change behavior in a fundamental way. These Ten Commandments contain the essence of the secrets for robust health. By following them you will have greater energy; clearer thinking; and a longer, more fulfilling life.

I. Thou Shalt Listen To Thy Body

The human body is a marvelous machine. It gives warning signals of what it needs and what it does not need. If you are under pressure, you will probably not be hungry. If you are not hungry, don't eat. If you are sleepy or tired, either lie down and rest or take a brisk walk. Medicine, particularly tranquilizers and sleeping pills, only mask the messages your body is trying to give to you. In all things, recognize the superior intelligence of your nervous system. It knows what is best for you. Pay attention to it. By doing so, you can prevent illness instead of having to treat it after you are sick.

II. Thou Shalt See The Positive

Don't be negative about other lawyers or about judges. You will only create a hostile environment for yourself. Being nice to people and speaking kindly toward them is such a simple way to reduce stress on yourself. In every adversity, there is an opportunity. Look for it. Problems are really chances to create solutions.

III. Thou Shalt Have Perspective

In the spectrum of the universe, how important is the matter about which you are worrying? In 10 years, will you even remember the name of the case that is keeping you awake at night? Stop pushing so hard. Slow down and take it easy. Life really is too short. Don't compare yourself to others. It's hard on you heart. "Win-Win" is a great philosophy to follow.

IV. Thou Shalt Stay Young And Creative

Just because you're a lawyer doesn't mean you have to be over-

weight, tired, shaky and aging rapidly. Think of yourself as a creator. Each letter, contract and court appearance can be an opportunity to let your creative juices flow, keeping you young and vital. Your vision does not have to keep getting worse. Staring during periods of concentration is hard on your eyes. Blink lightly and often. Benjamin Franklin was right. Early to bed and early to rise can make you healthy, wealthy and happy in the practice of law. Each hour of sleep before midnight is worth two after midnight.

V. Thou Shalt Avoid Anger

Whatever you put out is what you get back. Anger begets anger. If you keep getting angry, you may develop high blood pressure, ulcers and other stress-related illnesses. Anger causes you to lose control and certainly can harm you health. To avoid anger, try empathy. It always works, even with those who frustrate you most. If you must express anger, do it in a way that doesn't harm anyone.

VI. Thou Shalt Be Organized

A messy work environment causes stress on a subtle level. Clean, clear desks are better for your health than jogging a mile a day. Work smart, not hard. Think about the value of your time. Delegate, delegate, delegate. Letting go of "responsibilities" aids digestion, eases constipation and helps prevent strokes. Scheduling appointments back-to-back, whenever possible, will allow uninterrupted time for you.

VII. Thou Shalt Eat With Common Sense

Babies like sugar and sweets; so do lawyers. Babies don't know any better. Sugar, fatty meats, salt, caffeine and alcohol are not friends of yours. Avoid them as much as possible. Look for foods with some nutritional value. Empty calories just add weight. Choose fresh, wholesome foods. Nuts, especially pecans and blanched almonds, make great snacks and are easy to carry with you. Discover popcorn without salt or butter. It will satisfy your hunger and help your health. Fresh fruits and lightly steamed vegetable are excellent for your longevity. Don't skip meals. If

you do, your blood-sugar level will drop and you will be less able to concentrate. If you're hungry, you should eat. It doesn't do any good to have a salad for lunch if you cover it with dressing or sauces that contain fats and salt. Fish is fine, but not if it's fried. Get plenty of fiber. It's good for your colon. Avoid junk food. It's loaded with salt, sugar and fat. Don't fuel a billion-dollar deal with a junk-food meal.

VIII. Thou Shalt Exercise With Intelligence

Walk, don't drive. If you park an extra block or two from the office, you will add years to your life. Climb stairs, don't ride. What's important is not what you do for exercise, but that you do it every day. It must be part of your lifestyle, just like brushing your teeth. The body likes to move. Stay loose. You don't need lots of equipment. Brisk walks are like balm for your heart. Don't overdo. Select exercises you can do the rest of your life.

IX. Thou Shalt Not Smoke

What more needs to be said? If you need more information, think about emphysema, heart disease and cancer. Habits are easy to break. Just do it.

X. Thou Shalt Escape Daily

Take time for yourself. A 10-minute walk can do wonders for a frazzled nervous system. Find a way to go away, every day. Meditation, deep relaxation or sensible exercise will take you into yourself. There you will find an inner peace that will recharge your energy and keep you toned and fit.

by Larry G. Evans from *The National Law Journal*, Monday, August 24, 1987